

**STATEMENT OF  
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FOREST SERVICE  
UNITED STATES DEPARTMENT OF AGRICULTURE**

Before the  
Committee on Energy and Natural Resources  
Subcommittee on Forests and Public Lands Management  
United States Senate

Concerning:  
S. 1288, the Community Forest Restoration Act,  
S. 1374, a Bill to Authorize a Multi-Agency Campus in Jackson, Wyoming,  
and S. 439, a Bill to Adjust the Boundary of the Toiyabe National Forest.

July 27, 1999

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

Thank you for the opportunity to appear before you today to discuss S. 1288, the Community Forest Restoration Act, S. 1374, a bill to authorize the development and maintenance of a multi-agency campus project in the town of Jackson, Wyoming, and S. 439, a bill to adjust the boundary of the Toiyabe National Forest in Nevada. S. 719, S. 930, and S. 1030 do not apply to national forest lands.

I am Ron Stewart, Forest Service Deputy Chief for Programs and Legislation. I am accompanied today by Mike Williams, Assistant Director of Lands.

The Administration supports S. 1288, the Community Forest Restoration Act if amended to address concerns and incorporate suggested changes as described below.

The Administration also supports the goals of S. 1374, which would authorize the sale of land and provide for the acquisition of a new site and facility for a multi-agency office in the town of Jackson, Wyoming, but would like to work with the subcommittee to make some adjustments. Finally, the Administration supports S. 439, which amends the National Forest and Public Lands of Nevada Enhancement Act of 1988 to allow for a minor correction to the boundary of the Toiyabe National Forest.

### S. 1288

S. 1288 directs the Secretary of Agriculture to establish a collaborative forest restoration program in New Mexico. Under the bill, the Secretary could make cost-share grants to interested stakeholders, such as tribal governments, educational institutions, landowners, and other public and private entities for experimental forest restoration projects.

The objectives of the legislation are: 1) to promote healthy watersheds by reducing threats from insects, disease, and unnaturally occurring catastrophic wildfire; 2) to enhance biodiversity; 3) to improve communication and joint problem solving among individuals and groups concerned with the management of New Mexico's forests; 4) to promote the use of small diameter trees; and 5) to encourage sustainable communities and forests.

The objectives of S. 1288 are goals that the Forest Service strongly supports; indeed, they represent ends that the agency has been actively pursuing under its existing permanent authorities and through pilot projects. In fact, the Camino Real Ranger District of the Carson National Forest was recently recognized for an innovations in government award by Harvard University's Kennedy School of Government for its collaborative stewardship project in northern New Mexico.

New Mexico, and many areas across the West have an unnaturally high density of small diameter trees. Our relatively arid forests of the inland west and Rocky Mountains, of which New Mexico is a part, are perhaps in the most serious condition. At present we have a number of important initiatives underway to help address these problems and S. 1288 will provide an additional option.

- First, the Forest Service has invited nominations for large-scale (i.e., 200,000 to 500,000 acre) watershed restoration projects which are now being evaluated;
- Second, under Section 347 of the fiscal year 1999 Interior appropriations bill, the Forest Service has entered into 28 stewardship end-results contracting pilot projects testing a wide array of new administrative tools.
- Third, as part of the President's budget, the agency requested \$15 million for forest ecosystem restoration and improvement to accomplish watershed health objectives, although only funded by the Senate Interior Appropriation Subcommittee at \$5 million.
- Fourth, the Research, State and Private Forestry, and National Forest System branches of the Forest Service have been working together to develop a comprehensive strategy for achieving watershed restoration and fire protection goals through improved utilization of small diameter material.
- Fifth, we are placing greater emphasis on our watershed, wildlife and fish, and hazardous fuels reduction programs and budgets, all of which contribute to programs that improve watershed health.

Finally, the Forest Service is actively pursuing a forest health risk mapping effort to help identify those areas at greatest risk from unnaturally occurring levels of catastrophic wildfire, insects, and disease and to thereby provide a more scientific basis for allocating resources in response to these needs.

Some aspects of the legislation either concern us or require clarification. Our principal concerns are as follows:

- 1) Section 5(b) Eligibility Requirements: The Forest Service recommends that the eligibility requirements be modified to require that all projects meet restoration criteria in addition to one or more of the other criteria listed. It is extremely important to ensure that the stewardship work accomplished with these grants, first and foremost, addresses the restoration and land health priorities that exist on National Forest lands in New Mexico.
- 2) Use of Federal Funds on Non-Federal Lands: Sections 5(b)(1)(A) and 5(b)(1)(B) indicate that projects that accomplish restoration work on federal, state, or tribal forest lands may all be eligible to receive funding under the bill. The legislation should clearly state whether the Secretary would have authority to expend federal funds on projects involving only non-federal lands or even a combination of federal and non-federal lands.
- 3) Ceiling on Project Funding: Section 5(b)(8) provides that to be eligible to receive grant funding under the Act, a project must "not cost more than \$150,000 annually nor \$450,000 in total." It is unclear whether these figures apply to just the federal funding portion of the total project cost, or to the total of the federal funds plus matching funds from other sources which under the terms of the bill would be at least 20 percent of the total project funding.
- 4) Annual Workshop: Section 5(b)(10) requires that stakeholders attend an annual workshop. There is no reference as to the purpose of the workshop or who will conduct and pay for the workshop. Our understanding is that these workshops would be coordinated by the Forest Service for the purpose of stakeholders to meet, share, and learn from their common experiences. The bill should be clarified to reflect this.

#### S. 1374

The Administration supports the goals of S. 1374, the "Jackson Multi-Agency Campus Act of 1999." This bill would direct the Secretary of Agriculture to convey to the town of Jackson, Wyoming, certain parcels of federally owned land located in Teton County, Wyoming, in exchange for construction of facilities for the Bridger-Teton National Forest by the town of Jackson. The bill would also direct the Secretary to convey to the Game and Fish Commission of the State of Wyoming certain parcels of federally owned land in the town of Jackson in exchange for approximately 1.35 acres of land, also located in Jackson to be used in the construction of the facilities. The bill also would relinquish certain reversionary interests of the United States, held by the Department of Defense on lands currently owned by the State of Wyoming, in order to facilitate the transactions.

This bill would facilitate an equal value land exchange that would result in a new facility to be used by the Forest Service, and would also provide for multi-agency uses such as combined visitor information and interpretive services. A Memorandum of Understanding will be entered into by the Forest Service and the town of Jackson to deal with specific requirements related to the design and construction of the facility.

The Forest Service is concerned that there are still sections of this bill that may need some technical amendments with regard to requirements for certain county actions, the relinquishment of the reversionary action of the United States, the terms of conveyance, and the section pertaining to value of federal lands less than construction costs. We are still reviewing this matter and would like to work with the subcommittee to make adjustments as needed.

#### S. 439

The Administration supports S. 439, which amends the National Forest and Public Lands of Nevada Enhancement Act of 1988 to adjust the boundary of the Toiyabe National Forest. Specifically, the bill would transfer to the Secretary of Interior, land situated between the old forest boundary and the revised forest boundary that was transferred to the Secretary of Agriculture under Section 4(a) of the 1988 Act.

#### Closing:

In summary Mr. Chairman, we support the objectives and intent of S. 1288, and look forward to working with you to make the necessary changes and clarifications. The Administration also supports the goals of S. 1374, the land conveyance and land exchange for the purpose of constructing a multi-agency campus in Jackson, and we intend to work with the subcommittee on our concerns regarding certain sections of the bill. Finally, we support S. 439 to amend the National Forest and Public Lands of Nevada Enhancement Act of 1988 to make a minor boundary adjustment on the Toiyabe National Forest.

We thank the subcommittee for the opportunity to comment on these bills. I would be pleased to answer any questions you may have.